

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MIDAMERICAN ENERGY COMPANY, PEOPLES NATURAL GAS COMPANY, DIVISION OF UTILICORP UNITED INC. n/k/a AQUILA, INC. d/b/a AQUILA NETWORKS, AND UNITED CITIES GAS COMPANY, A DIVISION OF ATMOS ENERGY CORPORATION	DOCKET NO. WRU-02-42
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**ORDER GRANTING WAIVER**

(Issued November 7, 2002)

On October 29, 2002, MidAmerican Energy Company, Peoples Natural Gas Company, Division of UtiliCorp United Inc. n/k/a Aquila, Inc. d/b/a Aquila Networks, and United Cities Gas Company, a Division of Atmos Energy Corporation (collectively, "Applicants"), filed with the Utilities Board (Board) a request for waiver of 199 IAC 35.8(1), which requires that, in an energy efficiency plan filing, the utility's assessment address the potential energy and capacity savings in each of the ten years subsequent to the year the assessment is filed. Applicants asked that the rule be waived so that only nine years of subsequent savings be required. No objections to the request for waiver were filed.

In support of the waiver request, Applicants stated that they collaborated to develop a joint study assessing the potential for energy and capacity savings. Interstate Power and Light Company (IPL) also participated in the collaborative. In

preparing the assessment, the assumption was made that new energy efficiency plans would be filed in 2002. This assumption proved correct for IPL, but the Applicants will not file until 2003 because the filings have been staggered to provide for thorough review by the Board, the Consumer Advocate Division of the Department of Justice, and other interested parties.

The Board will grant the waiver. As noted in Applicants' request, preparing the joint assessment resulted in cost savings to all utilities. Also, the joint study provides that the assessments among the individual filings will be comparable. Granting the waiver promotes joint activities of this type that provide benefits to both participating utilities and ratepayers.

**IT IS THEREFORE ORDERED:**

The request for waiver filed by MidAmerican Energy Company, Peoples Natural Gas Company, Division of UtiliCorp United Inc. n/k/a Aquila, Inc. d/b/a Aquila Networks, and United Cities Gas Company, a Division of Atmos Energy Corporation, on October 29, 2002, is granted.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 7<sup>th</sup> day of November, 2002.